

I Braun Degenshein (SBN 138832)  
Attorney at Law  
81 Skyway Lane  
Oakland, CA 94619  
510-553-9669 (voice)  
510-633-1900 (facsimile)  
  
Attorneys for Plaintiff  
CALIFORNIA PACIFIC LABS, INC.

UNITED STATES DISTRICT COURT  
  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
  
SAN JOSE DIVISION

CALIFORNIA PACIFIC LABS, INC.,  
a California corporation

Plaintiff,

vs.

NALGE NUNC INTERNATIONAL  
CORPORATION, a Delaware  
Corporation; and APOGENT  
TECHNOLOGIES, Inc.

Defendants

Case No.: C 02-01418 JF

**DECLARATION OF RON NAJAFI,  
Ph.D. IN OPPOSITION TO  
DEFENDANTS' MOTION TO STRIKE  
AND IN SUPPORT OF PLAINTIFF'S  
MOTIONS FOR CONTINUANCE AND  
SANCTIONS**

Date: September 16, 2002  
Time: 9:00 a.m.  
Place: Courtroom 3  
Before: Hon. Jeremy Fogel

I, Ron Najafi, hereby declare as follows:

1. I am the President of California Pacific Labs, Inc., the plaintiff in this action. I am competent to testify to the facts herein, and if called upon will do so.

2. I had to fire Christina Johnson as my attorney because her personal problems were clearly compromising CAL LABS' representation. Apparently, the problems with her ankle caused her to take medications that affected her judgment. The whole thing came to a head on August 14, 2002 when I learned that she

1 could not file my declaration and other reply papers in time for  
2 the filing deadline for a number of unacceptable reasons, such  
3 as the fumigation of her combination studio apartment/office for  
4 fleas.

5 3. On Tuesday, August 27, 2002, as soon as possible after the  
6 hearing on her motion to withdraw, I sent a letter to Christina  
7 L. Johnson by Airborne Express overnight delivery. Ms. Johnson  
8 was California Pacific Labs' former attorney who withdrew from  
9 the case the day before for reasons that I do not know or  
10 understand. In my letter, I formally requested that she  
11 immediately send me all of California Pacific Labs' "papers and  
12 property" as the term is defined in California Rule of  
13 Professional Conduct 3-700(D). According to the tracking  
14 information at the Airborne Express web site, the letter was  
15 delivered at 10:17 a.m. on August 28, 2002. To date, I have  
16 received nothing and have not heard from her in any way, and she  
17 claims she did not receive the letter.

18 4. On Friday, August 30, 2002 at around 11:00 a.m., the Motion  
19 to Strike papers from Nalge's attorneys were delivered to me at  
20 my office in Novato.

21 5. I now have an understanding why Judge Fogel was so  
22 insistent that I say nothing at the August 26, 2002 hearing,  
23 because I had no idea how disadvantaged I was to have Christina  
24 Johnson withdraw as my lawyer and to have a new lawyer take up  
25 the case. Had I known, I never would have agreed to a new  
26 hearing date of September 16, 2002.

1 I swear under penalty of perjury under the laws of the  
2 State of California that the foregoing is true and correct and  
3 of my own personal knowledge.

4 **Dated:** Sept. 9, 2002

5 s/ Ron Najafi

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Ron Najafi

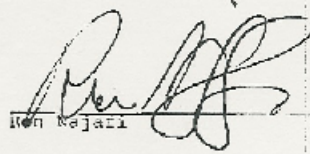
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1 I swear under penalty of perjury under the laws of the  
2 State of California that the foregoing is true and correct and  
3 of my own personal knowledge.

4 Dated: Sept. 9, 2002

  
Ron Najafi

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